

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA, CRIMINAL DIVISION

v.

CC No.: 2012 02820

THADDEUS THOMAS CRUMBLEY,
Defendant.

THE HONORABLE BETH LAZZARA

**MOTION IN LIMINE:
PHOTOGRAPHIC EVIDENCE**

Filed on Behalf of Defendant:

Thaddeus Thomas Crumbley

Counsel of Record for this Party:

Wendy L. Williams
PA ID# 50379

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2012 JUN -8 PM 2:20
DEPT OF CO. OF ALLEGHENY
CRIMINAL DIVISION PA
ALLEGHENY COUNTY PA

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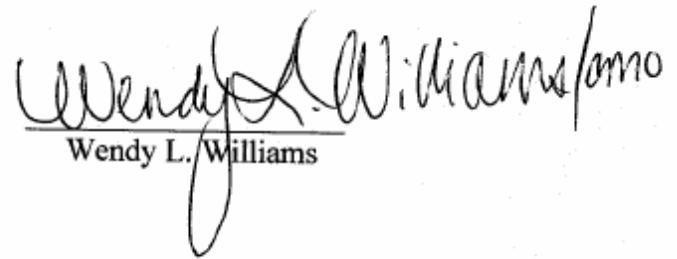
MOTION IN LIMINE: PHOTOGRAPHIC EVIDENCE

AND NOW, comes the Defendant, Thaddeus Thomas Crumbley, by and through his attorney, Wendy L. Williams, and avers the following:

1. Counsel for the Defendant anticipates that the Commonwealth will seek to introduce photographic evidence in its case in chief. Counsel requests the photographs the Commonwealth seeks to introduce be identified ahead of trial.
2. A number of the photographs will prejudice the Defendant in a manner that far outweighs their probative value.
3. The cause of death of the victim in this case are not contested nor is the nature of the injuries, which can be adequately described verbally by the forensic pathologist that the Commonwealth will call as a witness. Autopsy photographs therefore are unnecessary and prejudicial.
4. Diagrams of the crime scene and position of the body will adequately display the position of the body and of relation of the body to the buildings and exterior.
5. Any cautionary instructions by the Court relating to this inflammatory photographic evidence or the limitation placed upon the viewing time cannot and will not adequately assure against the prejudice created.
6. The content of the photographs shed little, if any, light on the question of the identity of the accused and/or his Co-Defendant, which is the issue before the jury.
7. In addition, the need to introduce color photographs or autopsy of the body of the deceased clearly outweighs any essential evidentiary value.

WHEREFORE, The Defendant requests that the Court exclude the color and/or graphic photographs from introduction into evidence at Trial.

Respectfully Submitted


Wendy L. Williams

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Defendant.

PRELIMINARY ORDER OF COURT

AND NOW, to-wit, upon consideration of the foregoing Motion in Limine: Photographic Evidence; it is hereby ORDERED, ADJUDGED and DECREED that a hearing be held on the
____ day of _____, 2012 at ____ A.M./P.M.

BY THE COURT:

_____, J.

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THE HONORABLE BETH LAZZARA

ORDER OF COURT

AND NOW, to-wit, this _____ day of _____, 2012, it is hereby
ORDERED, ADJUDGED, AND DECREED that the Motion in Limine: Photographic Evidence
on the above captioned case is hereby:

BY THE COURT:

_____, J.

CERTIFICATE OF SERVICE

I, Wendy L. Williams, hereby certify that a true and correct copy of the within Motion in Limine: Photographic Evidence was served in the manner indicated, this 8th day of June, 2012 upon the following:

The Honorable Beth Lazzara
510 Allegheny County Courthouse
436 Grant Street
Pittsburgh, PA 15219
Via Hand Delivery

DDA Steven Stadtmiller
c/o Allegheny County District Attorney's Office
401 Allegheny County Courthouse
436 Grant Street
Pittsburgh, PA 15219
Via Hand Delivery

Helen Lynch, Court Administrator
Allegheny County Courthouse
436 Grant Street
Pittsburgh, PA 15219
Via Hand Delivery

Randall McKinney, Esq.
rhm@randallmckinneylaw.com
Via Email

Mr. Thaddeus Thomas Crumbley, DOC# 69038, Pod: 8D
c/o Allegheny County Jail
950 2nd Avenue
Pittsburgh, PA 15219
Via U.S. Mail

Wendy L. Williams/amo

Wendy L. Williams